IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 12694 of 2004

Between:

Muthu Venkata Satya Sai Rama Rao, Assistant (Accounts & Cash), S/o. Late M.S.N. Swamy, State Bank of India, Dowlaiswaram Branch (Discharged), Dowlaiswaram, East Godavari District.

..... PETITIONER

AND

1 The Assistant General Manager, Region IV-Cum- Disciplinery Authority, State Bank of India Zonal Office, R.T.C. Complex, Visakhapatnam.
2 The Deputy General Manager cum Appellate Authority State Bank of India, Zonal Office, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the in-action of the 2nd respondent in disposing of his appeal dt. 29-07-1999 against the order of 1st respondent dt. 08-06-1999 in reference No.(3-0) (DPC) (VSP)/R-IV/No.06 discharging him from the services as illegal arbitrary, unjust, mala fide and against the principles of natural justice and consequently direct the 2nd respondent to dispose of his appeal expeditiously without any further delay by duly giving him an opportunity of being heard

Counsel for the Petitioner: MR.K.SARVA BHOUMA RAO

Counsel for the Respondents: MRS.P.BALA RANI

The Court at the admission stage made the following:

ORDER:

The petitioner worked as an Assistant (Accounts & Cash) in the respondent-Bank. The petitioner was found guilty in a departmental enquiry and was discharged from service without affecting his retirement benefits through an order dated 08.06.1999. The petitioner preferred an appeal before the second respondent on 29.07.1999 questioning the order of the first respondent.

2. Now, the grievance of the petitioner is that the second respondent is not disposing of the said appeal for the last five years, therefore he requests to issue a direction to the second respondent to dispose of the appeal immediately.

3. Keeping in view the circumstances explained by the petitioner, it is just and reasonable to direct the second respondent to dispose of the appeal of the petitioner on merits within a reasonable time.

4. Accordingly, the writ petition is disposed of directing the second respondent to pass appropriate orders on merits, after giving opportunity to both parties, on the appeal of the petitioner preferred on 29.07.1999 within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner. No costs.

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22.07.2004

VGB

To

1 The Assistant General Manager, Region IV-Cum- Disciplinery Authority, State Bank of India Zonal Office, R.T.C. Complex, Visakhapatnam.
2 The Deputy General Manager cum Appellate Authority State Bank of India, Zonal Office, Visakhapatnam.

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